

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:

WHOLE FOODS MARKET, INC. GREEK
YOGURT MARKETING AND SALES
PRACTICES LITIGATION

Case No. A-14-MC-2588-SS
[MDL No. 2588]

THIS DOCUMENT RELATES TO ALL CASES.

[PROPOSED] SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order:

1. Plaintiffs shall file a Consolidated Complaint including new parties on or before August 25, 2015;
2. Mediation on a class-wide basis and a related informal discovery exchange shall occur among those Parties who have appeared in a case, consented to the jurisdiction of this Court, and who have not sought remand to state court no later than August 27, 2015;
3. Rule 26(a)(1) Initial Disclosures shall be exchanged on or before September 25, 2015;
4. Defendants shall Answer or file a Rule 12 Motion on or before October 9, 2015;
 - a. Plaintiffs' opposition to any Rule 12 Motion shall due on or before November 9, 2015;
 - b. Defendants' reply shall be due on or before November 24, 2015;
5. Fact discovery is to commence on August 25, 2015 and be completed by May 25, 2016;

6. The parties shall file all amended or supplemental pleadings and shall join additional parties by February 25, 2016.

7. Plaintiffs' production of expert reports shall be due on June 30, 2016;

8. Defendants' production of expert rebuttal reports shall be due on July 30, 2016;

9. Plaintiffs' motion for Class Certification must be filed on or before September 15, 2016.

a. Defendants' Opposition shall be due 30 days from filing of Motion.

b. Plaintiffs' Reply is due 15 days from filing of Opposition.

10. Dispositive motions shall be filed on or before December 15, 2016.

a. Oppositions shall be due 37 days from filing Motions.

b. Replies are due 18 days from filing Oppositions.

11. The submission by the Parties and entry of this Scheduling Order by the Court is without prejudice to any Defendant's defenses to any individual action, including but not limited to lack of personal jurisdiction.

SIGNED this the _____ day of _____, 2015.

Sam Sparks
United States District Judge

AGREED:

DATED: July 2, 2015

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By: /s/ Jay W. Connolly

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DATED: July 2, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July, 2015, a copy of this document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Jay W. Connolly
Jay William Connolly

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